

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVONTE HAMILTON,

Plaintiff,

-vs-

**CORRECT CARE SOLUTIONS, LLC, FRANCIS
DELGROSSO, LEANDRO DIAZ, JOSEPH K. SPANO,
RAUL ULLOA, KARL VOLLMER, WESTCHESTER
COUNTY,**

Defendants.

**NOTICE OF MOTION SEEKING
DISMISSAL OF THE COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

Case No.: 7:18-cv-8361-NSR

PLEASE TAKE NOTICE:

MOTION BY:

BARCLAY DAMON LLP

*Attorneys for Defendants Correct Care
Solutions, LLC, Raul Ulloa, and
Westchester County (to the extent the
allegations in Plaintiff's Complaint concern
or relate to medical treatment provided by
Correct Care Solutions, LLC*

Office and Post Office Address
100 Chestnut Street, Suite 2000
Rochester, New York 14604

DATE, TIME AND PLACE OF HEARING:

May 13, 2019 at 10:00 a.m.
Hon. Nelson S. Román
United States District Court Judge
The Hon. Charles L. Bricant Jr. Federal
Building and Courthouse
U.S. District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

SUPPORTING PAPERS:

Affidavit of Sanjeev Devabhakthuni, dated
March 7, 2019, with exhibits, and a
Memorandum of Law dated March 7, 2019.

RELIEF DEMANDED:

An Order granting Defendants' motion to
dismiss the Plaintiff's Complaint with

prejudice for failure to state a cause of action upon which relief can be granted, and for such other relief as this Court deems just and proper.

GROUND FOR RELIEF:

Fed. R. Civ. P. Rule 12(b)(6).

DEMAND FOR ANSWERING PAPERS:

Per the Order of the Court, dated January 23, 2019 (D.N. 28), opposition to this motion must be served on the undersigned by April 26, 2019.

Note that the failure to respond to this motion may result in dismissal of the Complaint and termination of this action.

DATED: March 7, 2019

BARCLAY DAMON LLP

By: _____

Sanjeev Devabhakthuni
Bar Roll No.: SD0583

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All counsel of record via CM/ECF